

01-02-02

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Docket No.:** 99P1028US01  
**Inventor(s):** Euljoon Park; Gene A. Bornzin; and Junyu Mai  
**Title:** SYSTEM AND METHOD FOR MODULATING THE PACING RATE BASED ON PATIENT ACTIVITY AND POSITION

EXPRESS MAIL NO. EL758672830US

BOX PATENT APPLICATION FEE  
 ASSISTANT COMMISSIONER FOR PATENTS  
 Washington, D.C. 20231

JC979 U.S. PTO  
 10/032793  
 10/25/01

Dear Sir:

Submitted herewith for filing are the following documents:

X 3 page(s) DATA SHEET  
 X 19 page(s) application including 14 pages specification; 4 pages claims, and 1 page abstract  
 X 4 Sheet(s) of Drawings  
     Formal xx Informal       
 Declaration WILL BE FILED AT A LATER DATE.  
 Assignment WILL BE FILED AT A LATER DATE.  
 Recordation Form Cover Sheet WILL BE FILED AT A LATER DATE.  
 X Power of Attorney by Assignee...  
 X Request and Certification Under 35 USC 122...  
 X Information Disclosure Statement  
 X PTO-1449 without references  
 X Return Postcard

CALCULATION OF FEES					
ITEM	NO. OF CLAIMS FILED	NO. OF ADDITIONAL CLAIMS FILED	LG ENTITY FEE	\$ AMOUNT	\$ FEE
A TOTAL CLAIMS FEE	19 - 20 =	0	X \$18	\$ 0	\$
B INDEPENDENT CLAIMS FEE**	3 -3 =	0	X 84	0	
C SUBTOTAL - ADDITIONAL CLAIMS FEE (LINES A + B)					\$ 0
D MULTIPLE-DEPENDENT CLAIMS FEE LARGE ENTITY FEE = \$270					
E BASIC FILING FEE*LARGE ENTITY = \$710					740
F TOTAL FILING FEE** (ADD TOTALS FOR LINES C, D, AND E)					\$ 740**

X

Charge Deposit Account No. **16-0068**  
 the amount of

**\$740**

A copy of this letter is  
 enclosed.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0068

X Any additional filing fees required under 37 CFR 1.16.

X Any patent application processing fees under 37 CFR 1.17.

X The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0068

X Any patent application processing fees under 37 CFR 1.17.

X Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,



Derrick Reed , Attorney for Applicants  
Reg. No. 40,138

Date:

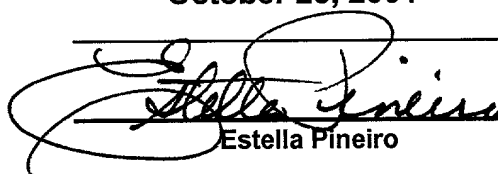
10/25/01

Correspondence Address:

PACESETTER, INC.  
15900 Valley View Court  
Sylmar, CA 91392-9221  
818/493-2200  
818/362-4795 (fax)

I hereby certify that this New Application is being deposited with the United States Postal Service as "Express Mail" mailing label number EL758672830US in an envelope as "Express Mail Post Office to Addressee" addressed to the: Assistant Commissioner for Patents Washington, D.C. 20231, on:

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Estella Pineiro

10/25/01  
Date

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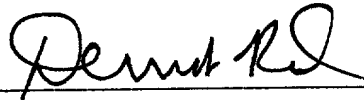
**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Euljoon Park et al.
Title	SYSTEM AND METHOD FOR MODULATING THE PACING RATE BASED ON PATIENT ACTIVITY.
Atty Docket Number	99P1028US01

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

10/25/01

Date



Signature

Derrick Reed, Reg. No. 40,138

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.